

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on July 12, 2016 at 6:30 p.m., in the council chambers, Bethel, Alaska.

Mayor Richard Robb called the meeting to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:	
<input checked="" type="checkbox"/> Mayor Rick Robb	<input checked="" type="checkbox"/> Council Member Nikki Hoffman
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski	<input checked="" type="checkbox"/> Council Member Alisha Welch
<input checked="" type="checkbox"/> Council Member Leif Albertson	
<input checked="" type="checkbox"/> Council Member Zach Fansler	
Members Absent:	
<input type="checkbox"/> Council Member Mary Weiss	
Also in attendance were the following:	
<input checked="" type="checkbox"/> City Attorney Patty Burley	<input checked="" type="checkbox"/> City Clerk Lori Strickler
<input checked="" type="checkbox"/> City Manager Ann Capela	<input type="checkbox"/> Assistant To City Clerk Adriane Welch

IV. PEOPLE TO BE HEARD

Michelle Dewitt – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Many Nanuwak – The Marijuana Advisory Committee met and had concerns with some of the definitions listed in the updated ordinance.

Suggested that during the City’s Regular Election there needs to be good translators at the polling locations.

Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Questioned the legality of City Council Member selling marijuana under a State license, would it be considered a conflict of interest.

Mark, Foraker Group Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Lisa Wimmer, Representative of the Yukon Kuskokwim Health Corporation (YKHC) – Spoke in favor of the amendments provided to Ordinance 16-20 and stated if sales tax exemptions were not provided to YKHC, the effects would be devastating for the region.

Eddie Barber, Representative of Bethel Friends of Canines – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Shane Iverson, KYUK Broadcasting Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Matt Keller, AVCP Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Rayne Athanas, Bethel Council on the Arts Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

La Tesia Guinn, Bethel Family Clinic Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Elizabeth Roll, Tundra Women’s Coalition Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Annie May Lee, Tundra Women’s Coalition Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Amber Jones, Tundra Women’s Coalition Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Council Member Albertson departed the meeting at 7:16 p.m.

Pauline Bialy, Tundra Women’s Coalition Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Buck Bukowski Veterans of Foreign Wars Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Lorin Bradbury President of the Bethel Conference of Churches – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Support putting on the ballot the option of local option for legalizes sales of marijuana.

Stated opposition to the recent change in access to the City’s dump.

David Trantham Jr. Alaska Territorial Memorial Guard Park Representative – The park was established to remember the many men and women organized to protect this State and the Nation during WWII. On July 18, there will be a meeting held with the Director of Military and Veterans Affairs and Deputy Director of Military and Veterans Affairs at the park; final inspection. They will also be in Bethel with discharge papers to ensure veterans have the proper documentation.

Fritz Charles Bethel Search and Rescue Representative – Spoke in favor of the amendments provided to Ordinance 16-20 and stated the exemption to be applied to all non-profits.

Main Motion: Take a five minute break.

Moved by:	Hoffman
Seconded by:	Maczynski
Action:	Motion carries by a vote of 4-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Fansler

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by: Hoffman
Seconded by: Welch
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

Main Motion: Amend the Agenda to move Council Member Comments to fall before Unfinished Business.

Moved by: Maczynski
Seconded by: Fansler
Action: Motion does not carry by a vote of 3-2
In favor: Robb Maczynski Fansler
Opposed: Hoffman Welch

Main Motion: Remove Resolution 16-24 from the Consent Agenda.

Moved by: Robb

Main Motion: Remove Introduction of Ordinance 16-20 from the Consent Agenda and move it to all before Unfinished Business.

Moved by: Fansler
Seconded by: Welch
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

VI. APPROVAL OF THE MEETING MINUTES

Item A – Regular City Council Meeting June 28, 2016
Passed on the consent agenda.

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission
Non one available to provide a report.

Port Commission
Council Representative, Alisha Welch –
No Report.

Planning Commission
Council Representative, Nikki Hoffman –
No Report.

Parks and Recreation Committee

Council Representative, Richard Robb –

4th of July event was a great success thanks to the Committee.

The Committee has also been working hard at improving the local boardwalks, such as the Pinky’s

Finance Committee

No one available to provide a report.

Energy Committee

Council Representative, Zach Fansler –

A meeting has not been held since the last City Council meeting.

Public Works Committee

Council Representative, Byron Maczynski –

A meeting has not been held since the last City Council meeting.

Marijuana Advisory Committee

Council Representative, Zach Fansler –

A new chair and vice chair was elected. Also discussed the Marijuana Local Option Ballot.

NEW BUSINESS

Item B – Introduction Of Ordinance 16-20: Amending Bethel Municipal Code 4.16.040 Sales And Use Tax, Exemptions.

Main Motion: Introduce Ordinance 16-20.

Moved by:	Fansler
Seconded by:	Hoffman
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

Council Member Fansler pointed out to the Council that he works for the University of Alaska as well as KYUK Radio, non-profit organizations.

Primary Amendment: Amend to insert after 501 (c) 3, "(4) and (19)."

Moved by:	Fansler
Seconded by:	Maczynski
Action:	Motion carries by a vote of 4-1
In favor:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Robb

Subsidiary Motion: Direct administration to not enforce the changes in the sales tax collection slated to go into effect August 1.

Moved by: Hoffman
Seconded by: Maczynski
Action: Motion does not carry by a vote of 2-3
In favor: Maczynski Hoffman
Opposed: Welch Fansler Robb

Main Motion: Amend to strike July 1, 2016 and insert "upon passage by the Bethel City Council."

Moved by: Fansler
Seconded by: Welch
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

Insert Section 4.16.050 Exemption Certificates-Applications Chapter under 4.16.040, to include Subsection E "An exemption certificate or a renewal or replacement of an exemption certificate for a non-profit organization under BMC 4.16.040(W) may be issued only upon:

1. Submission of a complete application to the finance director;
2. Proof that the claimant is a 501(c)(3) (4) (19) organization;
3. Submission of the previous year's federal tax filing (if applicable);
4. Payment of the certificate fee of One Thousand (\$1,000) Dollars

A certificate issued under this subsection shall be numbered, identify the organization, be signed by the finance director, and shall expire within one (1) year following the issuance of the certificate. The expiration date shall be prominently displayed on the certificate. No more than three (3) certificates may be issued to any non-profit organization."

Primary Amendment:

Moved by: Maczynski
Seconded by: Fansler
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

Secondary Amendment: Amend Subsection E. of 4.16.040 to strike E. 4. Payment of the certificate fee of One Thousand (\$1,000) Dollars.

Moved by: Fansler
Seconded by: Welch
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

Item A – Resolution 16-24: Protest Regarding The New Restaurant/Eating Place Liquor License #5491 For Dimitri’s Restaurant, Located At 281 4h Avenue, Bethel, AK, Owned By Maro Kargas.

- 1) Dimitri’s Restaurant Opportunity To Defend Per ACC304.145.
A representative of Dimitri’s Restaurant is not present.

Main Motion: Approve Resolution 16-24.

Moved by:	Maczynski
Seconded by:	Fansler
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

Amend the to insert “Whereas, the City Council under the authority of Bethel Municipal Code 5.08.030 Subsections 7, Dimitri’s does not have adequate parking at the facility, Subsection 9, Dimitri’s is not in compliance with state and local fire, health and safety Codes, Subsection 12, with the proximity to a school 160 feet from the property line of the Lower Kuskokwim School District property, the location detrimentally impacts children due to the exposure to alcohol activities and public safety issues with people departing the area after consuming alcoholic beverages.”

Primary Amendment:

Moved by:	Maczynski
Seconded by:	Fansler
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

Item B – Introduction Of Ordinance 16-20: Amending Bethel Municipal Code 4.16.040 Sales And Use Tax, Exemptions.

Agenda amended, move to before Unfinished Business.

Item C – Introduction Of Ordinance 16-21: Submitting To The Qualified Voters Of The City Of Bethel, Alaska, At The City Of Bethel Regular Election, October 4, 2016 Ballot Proposition One Local Options On Marijuana.

Main Motion: Introduce Ordinance 16-21.

Moved by: Fansler
Seconded by: Welch
Action: Motion does not carry by a vote of 2-3
In favor: Fansler Welch
Opposed: Robb Maczynski Hoffman

Item D – AM 16-47: Directing Administration To Issue A Purchase Order For The Purchase Of The Equipment With A Joint Purchase Authorized Under Bethel Municipal Code 4.20.210.

Main Motion: Approve AM 16-47.

Moved by: Welch
Seconded by: Hoffman
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

Main Motion: Suspend the rules to hear from the Port Director.

Moved by: Hoffman
Seconded by: Welch
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Fansler Hoffman Welch
Opposed: -0

Item E – Update On Wetlands Permit Process.

X. MAYOR'S REPORT

XI. MANAGER'S REPORT

XII. CLERK'S REPORT

XIII. COUNCIL MEMBER COMMENTS

Mayor Richard Robb –
Happy birthday to his son, Richard Robb.
Thankful for the opportunities to subsist this year; hoping for a good silver season.

Vice-Mayor Byron Maczynski –
Announced his intent to rerun for City Council in October,
When politicians get into office and run unattested, the connection with the
community is sometime lost. Provided support to Zach Fansler in his run for State

House. Look forward to establishing a better connection to our region and our State Government, he has my full endorsement.

Council Member Zach Fansler –
Thanked Vice-Mayor Maczynski for the kind words.
Thanked the people who came out to speak to the Council tonight.
Thanked the City for their hard work in putting together the 4th of July event.

Council Member Nikki Hoffman –
No comment.

Council Member Alisha Welch –
No comment.

XIV. ADJOURNMENT

Main Motion: Adjourn.

Moved by: Maczynski

Seconded by: Welch

Action: Motion carries by a vote of 5-0

In favor: Robb Maczynski Fansler Hoffman Welch

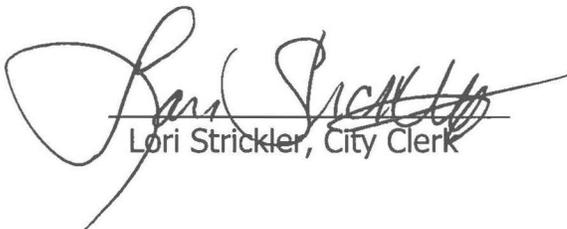
Opposed: -0

Council adjourned at 9:01 p.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk